

## FORTY-FIFTH DAY

(Wednesday, March 29, 1933)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Hicks.
Adamson.	Hill of Brazoria.
Aikin.	Hill of Webb.
Alexander.	Hodges.
Alsup.	Holekamp.
Anderson	Holland.
of Bexar.	Holloway.
Anderson	Hoskins.
of Johnson.	Huddleston.
Baker.	Hughes.
Barrett.	Hunt.
Barron.	Hyder.
Beck.	Jackson.
Bedford.	James.
Bourne.	Jefferson.
Bradley.	Johnson
Burns.	of Anderson.
Calvert.	Jones of Atascosa.
Camp.	Jones of Runnels.
Canon.	Jones of Shelby.
Cathey.	Kayton.
Caven.	Kyle of Hays.
Chastain.	Kyle of Palo Pinto.
Clayton.	Laird.
Colson.	Latham.
Coombes.	Lemens.
Cowley.	Leonard.
Crossley.	Lindsey.
Daniel.	Long.
Davidson.	Lotief.
Dean.	Magee.
Devall.	Mackay.
Dunlap.	Mathis.
Dunagan.	McClain.
Duvall.	McCullough.
Dwyer.	McDougald.
Engelhard.	McGregor.
Fain.	McKee.
Few.	Merritt.
Fisher.	Metcalfe.
Ford.	Mitcham.
Fuchs.	Moffett.
Glass.	Moore.
Golson.	Morrison.
Good.	Morse.
Goodman.	Munson.
Graves.	Nicholson.
Greathouse.	Parkhouse.
Griffith.	Patterson.
Haag.	Pavlica.
Hankamer.	Pope.
Harman.	Puryear.
Harris.	Ramsey.
Harrison.	Ratliff.
Hartzog.	Ray.
Head.	Reader.
Hester.	Reed of Bowie.

Reed of Dallas.	Sullivan.
Renfro.	Tarwater.
Riddle.	Tennyson.
Roberts.	Thomas.
Rogers of Hunt.	Tillery.
Rogers	Townsend.
of Ochiltree.	Turlington.
Rollins.	Van Zandt.
Ross.	Vaughan.
Savage.	Wagstaff.
Scarborough.	Walker.
Scott.	Weinert.
Shannon.	Wells.
Shults.	West.
Stanfield.	Winningham.
Steward.	Wood.
Stinson.	Young.
Stovall.	

Absent

Butler. Smith.

Absent—Excused

Johnson	Palmer.
of Dimmit.	Russell.

A quorum was announced present.  
Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

## LEAVES OF ABSENCE GRANTED

The following Member was granted leave of absence on account of important business:

Mr. Palmer for this morning, on motion of Mr. Colson.

The following Member was granted leave of absence on account of illness:

Mr. Russell for today, on motion of Mr. McClain.

## HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Dean (by request):

H. B. No. 864, A bill to be entitled "An Act to amend Chapter 1, of Title 5, of the Revised Criminal Statutes of Texas, so as to make it unlawful for any person to pay, or offer to pay, additional compensation, or any part of the compensation, of any peace officer in certain cases; making it unlawful for any officer to accept such an offer or proposal; prescribing penalty for violation; and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Jones of Shelby:

H. B. No. 865, A bill to be entitled "An Act to amend Subdivision 9, Article 2135, Chapter 7, Title 42, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts of 1931, Forty-second Legislature, page 375, Chapter 221, Section 2, so as to provide that in cities and towns having a population of one thousand (1,000) or more inhabitants, according to the last preceding United States Census, the active members of organized fire companies, not to exceed twenty (20), to each one thousand (1,000) of such inhabitants, shall be exempt from jury service; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Kayton (by request):

H. B. No. 866, A bill to be entitled "An Act amending Section 2 of House Bill No. 83, passed by the Fifth Called Session of the Forty-first Legislature, by adding thereto Section 2-a, providing that motor vehicles from foreign States, or countries, can not lawfully operate in this State past the time limit extended by this State on license plates issued for any previous year."

Referred to Committee on Highways and Motor Traffic.

By Mr. Engelhard, Mr. Rogers of Ochiltree, Mr. Fuchs, Mr. Metcalfe, and Mr. Hoskins:

H. B. No. 867, A bill to be entitled "An Act amending Articles 7245, 7246, 7247, 7248, and 7249, of the 1925 Revised Civil Statutes of Texas, by providing for the election, oath, and bond of the office of assessor and collector of taxes, as combined by the recent amendment to the Constitution; providing that Articles 7181 to 7359, inclusive, of Title 122, of the 1925 Revised Civil Statutes of Texas, including all amendments, as well as the 1925 Revised Civil Statutes, shall be so construed as to carry out the purpose of the constitutional amendment providing for one officer, and that the words 'assessor,' 'assessor of taxes,' 'collector,' 'collector of taxes,' or 'tax collector' shall refer to and mean one office or officer; repealing Articles 7177, 7178, 7179, and 7180, of Title 122, of the 1925 Revised Civil Statutes of Texas; and declaring an emergency."

Referred to Committee on State Affairs.

## BILLS ORDERED PRINTED

On motion of Mr. Lemens, House Bill No. 292, reported adversely with a minority favorable report, was ordered printed.

On motion of Mr. Roberts, House Bill No. 611, reported adversely with a minority favorable report, was ordered printed.

## TO AUTHORIZE EXTRA COPIES OF CERTAIN REPORT OF THE AUDITOR

Mr. Wagstaff offered the following resolution:

Whereas, The report of the State Auditor on the Available School Fund contains much valuable information for the Legislature, and the supply of printed copies has been exhausted; now, therefore, be it

Resolved, That the Chairman of the Committee on Contingent Expenses be authorized to have 1,000 extra copies printed, to be paid out of the Contingent Expense Fund.

WAGSTAFF,  
MOFFETT.

The resolution was read second time, and was lost.

## INVITATION TO PROF. THEOPHILUS FITZ

Mr. Haag offered the following resolution:

Whereas, Prof. Theophilus Fitz, of Midland, Texas, a native Texan, is now in the City of Austin; and

Whereas, Professor Fitz has spent many years training voices of America, and particularly Texas singers, and has thereby contributed vastly to the cultural life of Texas; and has sung to thousands, whose testimony is that he is one of the finest soloists in America, and is, in fact, a singer of National renown; and

Whereas, Professor Fitz is now composing and has about completed the opera "Tejas," which, when completed, promises to bring the eyes of the musical America to Texas; now, therefore, be it

Resolved, That Prof. Theophilus Fitz be invited to sing to the House of Representatives at 2 p. m., March 29, 1933.

The resolution was read second time, and was adopted.

# TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Kayton offered the following resolution:

H. C. R. No. 53, Providing for adjournment sine die.

Whereas, The Forty-third Legislature will have completed and passed the four major appropriation bills on or before the twentieth day of April, 1933; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Regular Session of the Forty-third Legislature of the State of Texas stand adjourned sine die at 12 o'clock noon, April 20, 1933.

The resolution was read second time.

Mr. Kayton moved that the resolution be laid on the table subject to call.

On motion of Mr. Moore, the resolution was tabled.

# TO GRANT N. E. ROSS AND OTHERS PERMISSION TO SUE THE STATE

Mr. Pope offered the following resolution:

H. C. R. No. 54, To grant N. E. Ross and others permission to sue the State.

Whereas, On or about March 11, 1933, the Game, Fish, and Oyster Commission of Texas, through its agents and representatives, shot holes into and through the walls of the skiffs and boats belonging to N. E. Ross, Roy Johnson, Roy Ross, Dan E. Cook, Rose M. Cook, and R. W. Johnson, and rendered such boats and skiffs unusable and unfit for service; and

Whereas, The amount of such damage amounts to about one thousand dollars (\$1,000); and

Whereas, The amount involved can not be adjusted between the parties, and a necessity exists for the determination of the validity and a settlement of the claims of the said N. E. Ross, Roy Johnson, Roy Ross, Dan E. Cook, Rose M. Cook, and R. W. Johnson in a court of competent jurisdiction; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the said N. E. Ross, Roy John-

son, Roy Ross, Dan E. Cook, Rose M. Cook, and R. W. Johnson be, and are hereby, granted permission and given authority to institute a suit against the Game, Fish, and Oyster Commission of Texas, and the deputies and agents of said Game, Fish, and Oyster Commission, and the State of Texas, in a court of competent jurisdiction in order to determine and settle the amount of damages, if any, arising out of and in connection with the aforesaid loss, and that such amount as may be recovered by virtue hereof shall be paid out of the funds now or hereafter in the special funds of the Game, Fish, and Oyster Commission.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

# TO GRANT TOM LOFTAS PER- MISSION TO SUE THE STATE

Mr. Pope offered the following resolution:

H. C. R. No. 55, To grant Tom Loftas permission to sue the State.

Whereas, On or about March 5, 1933, the Game, Fish, and Oyster Commission of Texas took from the possession of Tom Loftas certain lawful fish seines and nets, and refused to return said seines and nets to said Tom Loftas; and

Whereas, The value of said seines and nets are of the approximate value of six hundred dollars (\$600); and

Whereas, The amount involved can not be adjusted between the parties, and a necessity exists for the determination of the validity and a settlement thereof of the claims of the said Loftas in a court of competent jurisdiction; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the said Tom Loftas be, and is hereby, granted permission and given authority to institute a suit against the Game, Fish, and Oyster Commission of Texas, and the deputies and agents of said Game, Fish, and Oyster Commission of the State of Texas, and the State of Texas, in a court of competent jurisdiction, in order to determine and settle the amount of damages, if any, arising out of, and in connection with, the aforesaid loss, and that such amount as may be recovered by virtue hereof shall be paid out of the special funds of the Game, Fish, and Oyster Commission.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

#### HOUSE BILL NO. 154 ON SECOND READING

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 154, A bill to be entitled "An Act amending Article 7071, Title 122, Chapter 2, Revised Civil Statutes of 1925, and providing for the levying of an occupation tax on petroleum oil, mineral oil, or other oils that are taken from the earth; providing the date of payment of same, and providing the manner and time of reporting same to the Treasury of this State, and providing for inspection of records kept by persons engaged in such business, etc.; and declaring an emergency."

The bill was read second time.

Mr. Nicholson raised a point of order on further consideration of the bill at this time, on the ground that under the Joint Rules, it is not in order to consider House bills on Senate bill day, when there are Senate bills on the calendar.

The Speaker sustained the point of order.

#### BILL RE-REFERRED

On motion of Mr. Mathis, by unanimous consent, House Bill No. 832 was withdrawn from the Committee on State Affairs, and referred to the Committee on Revenue and Taxation.

#### HOUSE BILL NO. 167 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 167, A bill to be entitled "An Act making appropriations for the support and maintenance of the State Government for the two-year period, beginning September 1, 1933, and ending August 31, 1935, and for other purposes, and prescribing certain regulations and restrictions in respect thereto, and declaring an emergency";

The bill having heretofore been read second time, with committee amendment by Mr. Harman, pending;

The House having agreed to consider the committee amendment department by department, and having under consideration at this time the section of the committee amendment relative to the State Health Department.

Mr. Kayton offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167, page 20, lines 32 and 33, to read as follows: "Technicians, three, at \$1,500 per year, each, \$4,500, each year."

KAYTON,  
READER.

The amendment was adopted.

Mr. Reader offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167, page 19, line 10, by changing the figures "\$3,000" to "\$3,600," in each column.

Mr. Fain moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—65

Adamson.	Huddleston.
Aikin.	Hunt.
Alsup.	Hyder.
Baker.	James.
Barrett.	Johnson
Barron.	of Anderson.
Beck.	Jones of Runnels.
Bourne.	Laird.
Calvert.	Latham.
Camp.	Lotief.
Canon.	Mackay.
Caven.	McCullough.
Chastain.	McKee.
Cowley.	Merritt.
Dean.	Mitcham.
Devall.	Munson.
Dunlap.	Parkhouse.
Dunagan.	Patterson.
Fain.	Puryear.
Few.	Reed of Bowie.
Fisher.	Reed of Dallas.
Fuchs.	Roberts.
Glass.	Rogers of Hunt.
Goodman.	Rogers
Harris.	of Ochiltree.
Harrison.	Savage.
Hicks.	Scarborough.
Hill of Brazoria.	Shults.
Hodges.	Stanfield.
Hoskins.	Stinson.

Stovall.	Walker.
Thomas.	Wells.
Tillery.	Winningham.
Vaughan.	

## Nays—46

Alexander.	Jackson.
Anderson	Jefferson.
of Bexar.	Jones of Atascosa.
Anderson	Kayton.
of Johnson.	Kyle of Hays.
Bradley.	Kyle of Palo Pinto.
Burns.	Lindsey.
Cathey.	Magee.
Clayton.	McGregor.
Crossley.	Moore.
Davidson.	Ratliff.
Dwyer.	Ray.
Engelhard.	Reader.
Ford.	Riddle.
Graves.	Rollins.
Greathouse.	Ross.
Griffith.	Scott.
Hankamer.	Shannon.
Harman.	Steward.
Hartzog.	Townsend.
Hill of Webb.	Van Zandt.
Holekamp.	Wagstaff.
Holland.	Wood.
Hughes.	Young.

## Absent

Bedford.	McDougald.
Butler.	Metcalfe.
Colson.	Moffett.
Coombes.	Morrison.
Daniel.	Morse.
Duvall.	Nicholson.
Golson.	Pavlica.
Good.	Pope.
Haag.	Ramsey.
Head.	Renfro.
Hester.	Smith.
Holloway.	Sullivan.
Jones of Shelby.	Tarwater.
Lemens.	Tennyson.
Leonard.	Turlington.
Long.	Weinert.
Mathis.	West.
McClain.	

## Absent—Excused

Johnson	Palmer.
of Dimmit.	Russell.

Mr. Jackson offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167, page 19, line 10, by changing the figures "\$3,000," each year, to "\$3,500," each year.

On motion of Mr. Fain, the amendment was tabled.

Mr. Reader offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167, page 20, line 31, to read "twelve hundred dollars (\$1,200)," in each column, in lieu of "\$1,080."

On motion of Mr. Fain, the amendment was tabled.

Mr. Reader offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167, page 21, line 18, to read "two thousand dollars (\$2,000)," in each column, in lieu of "\$1,500."

On motion of Mr. Fain, the amendment was tabled.

Mr. Good offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167, page 19, line 39, by striking out the figures "\$2,400," and inserting in lieu thereof the figures "\$1,800."

The amendment was adopted.

Mr. Good offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167, page 19, line 23, by changing the figures "\$2,700" to "\$2,400."

The amendment was adopted.

Mr. Beck offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167 by striking out, in line 40, page 20, the figures "\$2,700," in each column, and insert in lieu thereof the figures "\$2,200," in each column.

The amendment was adopted.

Mr. Harman offered the following amendment to the section of the committee amendment relative to the State Insurance Commission:

Amend committee amendment to House Bill No. 167, page 26, line 18, by striking out all of line 18, and insert in lieu thereof "File clerk, \$1,080," each year.

The amendment was adopted.

Mr. Harman offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167, page 26, line 20, by striking out all of line 20, and insert in lieu thereof "Two stenographers, \$2,400," each year.

The amendment was adopted.

Mr. Hartzog offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167 by striking out lines 19 and 20, on page 23, and lines 22, 23, 27, 28, 34, and 35, on page 24, and inserting in lieu thereof the following:

"Page 23, Lines 19 and 20

"License clerks, four, none exceeding \$110 per month, \$5,280, \$5,280.

"Page 24, Lines 22 and 23

"Rate clerks, three experts, none exceeding \$1,500 per year, \$4,500, \$4,500.

"Page 24, Lines 27 and 28

"Rate inspectors, three, none exceeding \$1,800 per year, \$5,400, \$5,400.

"Page 24, Lines 34 and 35

"Rate tabulators, two, none exceeding \$1,080 per year, \$2,160, \$2,160.

"This amendment takes three highly paid men out of the Fire Department, and adds two low paid clerks to the Life Insurance Division, and saves the State \$4,160."

Mr. Barrett called for a division of the amendment.

The four divisions of the amendment were then severally adopted.

Question—Shall the committee amendment be adopted?

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, March 29, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 203, A bill to be entitled "An Act to amend Chapter 40, Acts of Second Called Session of Forty-

second Legislature, and Chapter 271, Acts of Regular Session of Forty-second Legislature, as amended by said Chapter 40, Acts of Second Called Session of Forty-second Legislature, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### HOUSE BILL NO. 791 ON SECOND READING

Mr. Greathouse, by unanimous consent, moved to take up, for consideration at this time, House Bill No. 791, which bill had heretofore been laid on the table subject to call.

The motion prevailed.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 791, A bill to be entitled "An Act amending Subsection 14, of Article 5421-c, of the Revised Civil Statutes of Texas, same being Acts, 1931, Forty-second Legislature, Second Called Session, page 64, Chapter 40, by providing that hereafter in all condemnation proceedings, the mineral rights of the condemned party shall be superior to the surface rights of the condemning party, and in the event of any conflict where it is necessary to drill any offset well, that the surface rights shall yield to the mineral rights, and the condemning party shall immediately remove any interference or hindrance therewith, and in the event of his failure to do so upon demand, the owner of the mineral rights shall have the right to do so, without liability, etc.; and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 791 ON THIRD READING

Mr. Greathouse moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 791 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104

Adamson.	Anderson
Alsup.	of Bexar.

Anderson	Jones of Atascosa.
of Johnson.	Jones of Runnels.
Baker.	Kayton.
Barrett.	Kyle of Palo Pinto.
Barron.	Laird.
Beck.	Lindsey.
Bourne.	Long.
Bradley.	Lotief.
Burns.	Magee.
Calvert.	Mackay.
Camp.	McGregor.
Canon.	McKee.
Cathey.	Merritt.
Caven.	Metcalfe.
Chastain.	Mitcham.
Clayton.	Moore.
Colson.	Morrison.
Cowley.	Munson.
Crossley.	Parkhouse.
Daniel.	Patterson.
Davidson.	Pavlica.
Dean.	Puryear.
Devall.	Ratliff.
Dunagan.	Ray.
Engelhard.	Reed of Bowie.
Fain.	Reed of Dallas.
Few.	Riddle.
Ford.	Roberts.
Fuchs.	Rogers of Hunt.
Glass.	Rogers
Good.	of Ochiltree.
Goodman.	Rollins.
Graves.	Ross.
Greathouse.	Savage.
Griffith.	Scott.
Harman.	Shannon.
Harris.	Shults.
Hartzog.	Stanfield.
Hicks.	Steward.
Hill of Webb.	Stinson.
Hodges.	Stovall.
Holekamp.	Sullivant.
Holland.	Tarwater.
Hoskins.	Thomas.
Huddleston.	Townsend.
Hughes.	Van Zandt.
Hunt.	Vaughan.
Hyder.	Wagstaff.
James.	Walker.
Jefferson.	Wells.
Johnson	Wood.
of Anderson.	Young.

## Nays—5

Aikin.	McDougald.
Hankamer.	Scarborough.
Kyle of Hays.	

## Absent

Alexander.	Fisher.
Bedford.	Golson.
Butler.	Haag.
Coombes.	Harrison.
Dunlap.	Head.
Duvall.	Hester.
Dwyer.	Hill of Brazoria.

Holloway.	Pope.
Jackson.	Ramsey.
Jones of Shelby.	Reader.
Latham.	Renfro.
Lemens.	Smith.
Leonard.	Tennyson.
Mathis.	Tillery.
McClain.	Turlington.
McCullough.	Weinert.
Moffett.	West.
Morse.	Winningham.
Nicholson.	

## Absent—Excused

Johnson	Palmer.
of Dimmit.	Russell.

The Speaker then laid House Bill No. 791 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—102

Adamson.	Hodges.
Alsup.	Holekamp.
Anderson	Holland.
of Bexar.	Hoskins.
Anderson	Huddleston.
of Johnson.	Hughes.
Baker.	Hunt.
Barrett.	Hyder.
Barron.	James.
Beck.	Jefferson.
Bourne.	Johnson
Burns.	of Anderson.
Calvert.	Jones of Atascosa.
Camp.	Jones of Runnels.
Canon.	Kayton.
Caven.	Kyle of Palo Pinto.
Chastain.	Laird.
Clayton.	Lindsey.
Colson.	Lotief.
Cowley.	Magee.
Crossley.	Mackay.
Daniel.	McGregor.
Davidson.	McKee.
Dean.	Merritt.
Dunagan.	Metcalfe.
Dwyer.	Mitcham.
Engelhard.	Moore.
Fain.	Morrison.
Few.	Munson.
Ford.	Parkhouse.
Fuchs.	Patterson.
Glass.	Pavlica.
Good.	Pope.
Goodman.	Puryear.
Graves.	Ratliff.
Greathouse.	Ray.
Griffith.	Reed of Bowie.
Harman.	Reed of Dallas.
Harris.	Roberts.
Hartzog.	Rogers of Hunt.
Head.	Rogers
Hill of Webb.	of Ochiltree.

Rollins.	Sullivant.
Ross.	Tarwater.
Savage.	Thomas.
Scarborough.	Townsend.
Scott.	Van Zandt.
Shannon.	Vaughan.
Shults.	Wagstaff.
Stanfield.	Walker.
Steward.	Wells.
Stinson.	Wood.
Stovall.	Young.

## Nays—9

Aikin.	Kyle of Hays.
Coombes.	McDougald.
Devall.	Nicholson.
Hankamer.	Riddle.
Hicks.	

## Absent

Alexander.	Leonard.
Bedford.	Long.
Bradley.	Mathis.
Butler.	McClain.
Cathey.	McCullough.
Dunlap.	Moffett.
Duvall.	Morse.
Fisher.	Ramsey.
Golson.	Reader.
Haag.	Renfro.
Harrison.	Smith.
Hester.	Tennyson.
Hill of Brazoria.	Tillery.
Holloway.	Turlington.
Jackson.	Weinert.
Jones of Shelby.	West.
Latham.	Winningham.
Lemens.	

## Absent—Excused

Johnson	Palmer.
of Dimmit.	Russell.

CONFERENCE COMMITTEE RE-  
PORT ON SENATE BILL  
NO. 421

Mr. Anderson of Bexar called up, for consideration at this time, the conference committee report on Senate Bill No. 421.

Mr. Reed of Bowie moved that the report be laid on the table subject to call.

The motion was lost.

Mr. Anderson of Bexar moved that the report be adopted.

Mr. Sullivant moved the previous question on the adoption of the report, and the main question was ordered.

The motion of Mr. Anderson of Bexar prevailed by the following vote:

## Yeas—110

Adamson.	Kyle of Palo Pinto.
Alexander.	Laird.
Alsup.	Latham.
Anderson	Lemens.
of Bexar.	Leonard.
Anderson	Lindsey.
of Johnson.	Long.
Barrett.	Lotief.
Barron.	Magee.
Bourne.	Mackay.
Burns.	Mathis.
Cathey.	McGregor.
Caven.	McKee.
Chastain.	Metcalfe.
Clayton.	Mitcham.
Colson.	Moffett.
Coombes.	Morrison.
Crossley.	Morse.
Daniel.	Nicholson.
Davidson.	Palmer.
Dean.	Parkhouse.
Devall.	Patterson.
Dunlap.	Pavlica.
Dunagan.	Pope.
Dwyer.	Puryear.
Engelhard.	Ramsey.
Fain.	Ratliff.
Few.	Ray.
Fisher.	Reader.
Fuchs.	Reed of Dallas.
Glass.	Renfro.
Golson.	Riddle.
Good.	Roberts.
Goodman.	Rogers
Graves.	of Ochiltree.
Greathouse.	Rollins.
Haag.	Ross.
Hankamer.	Savage.
Harman.	Scott.
Harris.	Shannon.
Harrison.	Shults.
Hartzog.	Stanfield.
Head.	Steward.
Hicks.	Stinson.
Hill of Brazoria.	Stovall.
Hodges.	Sullivant.
Holekamp.	Tarwater.
Hughes.	Tennyson.
Hunt.	Thomas.
Hyder.	Tillery.
Jackson.	Townsend.
Johnson	Turlington.
of Anderson.	Van Zandt.
Jones of Runnels.	Wagstaff.
Jones of Shelby.	Weinert.
Kayton.	Wood.
Kyle of Hays.	Young.

## Nays—21

Aikin.	Griffith.
Baker.	Hoskins.
Beck.	Huddleston.
Bedford.	James.
Canon.	Jones of Atascosa.
Ford.	McClain.



McCullough.	Rogers of Hunt.
McDougald.	Scarborough.
Merritt.	Vaughan.
Munson.	Winningham.
Reed of Bowie.	

Present—Not Voting

Camp.

Absent

Bradley.	Holloway.
Butler.	Jefferson.
Calvert.	Moore.
Cowley.	Smith.
Duvall.	Walker.
Hester.	Wells.
Hill of Webb.	West.
Holland.	

Absent—Excused

Johnson	Russell.
of Dimmit.	

### REASONS FOR VOTES

I voted to concur, because I am giving credence to the statements made, to the effect that assurance has been given that the Senate will take favorable action over the House bills now in the Senate, giving protection against foreclosures on farms and homes. I voted the other day to hold up action on this insurance moratorium, until the Senate passed the farm and home relief measures, which the House had already passed. It now being stated the Senate will pass these measures, I give my vote to make these measures immediately effective.

ROGERS of Ochiltree.

Reason for making motion to table moratorium bill for insurance companies subject to call: I favor the passage of moratorium for home owners; at the same time I also favor passage of above bill.

REED of Bowie.

### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, March 29, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee on House Bill No. 490. The following have been appointed on the part of the Senate: Senators Fellbaum, Purl, Holbrook, Regan, and Redditt.

The Senate has adopted

H. C. R. No. 52, Authorizing the Enrolling Clerk of the House to make certain correction to House Bill No. 7.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

### RECESS

On motion of Mr. Haag, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

### AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

### SONGS BY PROF. THEOPHILUS FITZ

In accordance with a resolution heretofore adopted, inviting Prof. Theophilus Fitz to sing in the House at 2 o'clock p. m., today, Speaker Stevenson presented Mr. Haag, who introduced Miss Taylor, Mrs. Oliver, and Mrs. Leon Goodman, of Midland, Texas.

Mr. Haag also introduced Prof. Theophilus Fitz, of Midland, to the House.

Prof. Fitz, accompanied on the piano, by Mrs. Campbell Ray, then sang the following selections: "Texas, the Land That We Love," and "Rounded Up in Glory."

### HOUSE BILL NO. 169 WITH SENATE AMENDMENTS

Mr. Harman called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 169, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain eleemosynary institutions of the State and other expenses of maintaining and conducting them for the two fiscal years, September 1, 1933, to August 31, 1935, inclusive, etc.; and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Harman moved that the House do not concur in the Senate amend-

ments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following conference committee: Messrs. Harman, Burns, Kayton, Hyder, and Stovall.

#### BILLS LAID ON THE TABLE SUBJECT TO CALL

On motion of Mr. Renfro, by unanimous consent of the House, House Bills Nos. 249, 250, and 251 were laid on the table subject to call.

On motion of Mr. Moore, House Bill No. 262 was laid on the table subject to call.

On motion of Mr. Jones of Atascosa, House Bill No. 709 was laid on the table subject to call.

On motion of Mr. Pope, House Bill No. 95 was laid on the table subject to call.

On motion of Mr. Daniel, House Bill No. 717 was laid on the table subject to call.

On motion of Mr. McDougald, House Bill No. 487 was laid on the table subject to call.

#### MOTION TO LAY HOUSE BILL NO. 833 ON TABLE SUBJECT TO CALL

Mr. Parkhouse moved that House Bill No. 833 be laid on the table subject to call.

✓ Mrs. Hughes raised a point of order on further consideration of the motion, on the ground that the bill is not before the House for consideration at this time, and that the motion can only be made by unanimous consent of the House.

The Speaker sustained the point of order.

Mr. Parkhouse moved that the House Rule, relative to the regular order of business, be suspended, and that House Bill No. 833 be laid on the table subject to call.

Question recurring on the motion by Mr. Parkhouse, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows:

#### Yeas—65

Aikin.	Kyle of Hays.
Anderson	Kyle of Palo Pinto.
of Johnson.	Lindsey.
Bourne.	Long.
Bradley.	Magee.
Burns.	McGregor.
Cathey.	Mitcham.
Chastain.	Moore.
Clayton.	Munson.
Colson.	Nicholson.
Cowley.	Parkhouse.
Crossley.	Patterson.
Daniel.	Pavlica.
Davidson.	Puryear.
Dean.	Ratliff.
Fain.	Reed of Bowie.
Few.	Reed of Dallas.
Ford.	Renfro.
Fuchs.	Rollins.
Golson.	Scarborough.
Goodman.	Shannon.
Greathouse.	Shults.
Head.	Smith.
Hicks.	Stovall.
Hill of Webb.	Tarwater.
Holekamp.	Tennyson.
Hoskins.	Thomas.
James.	Townsend.
Johnson	Turlington.
of Anderson.	Van Zandt.
Jones of Atascosa.	Wagstaff.
Jones of Runnels.	Winningham.
Jones of Shelby.	Young.
Kayton.	

#### Nays—30

Alexander.	Hunt.
Baker.	Hyder.
Beck.	McCullough.
Coombes.	McKee.
Dunlap.	Merritt.
Dunagan.	Morrison.
Fisher.	Reader.
Glass.	Rogers of Hunt.
Graves.	Savage.
Haag.	Scott.
Harris.	Stanfield.
Harrison.	Sullivant.
Hodges.	Tillery.
Huddleston.	Vaughan.
Hughes.	Walker.

#### Absent

Adamson.	Camp.
Alsup.	Canon.
Anderson	Caven.
of Bexar.	Devall.
Barrett.	Duvall.
Barron.	Dwyer.
Bedford.	Engelhard.
Butler.	Good.
Calvert.	Griffith.

Hankamer.	Metcalf.
Harman.	Moffett.
Hartzog.	Morse.
Hester.	Palmer.
Hill of Brazoria.	Pope.
Holland.	Ramsey.
Holloway.	Ray.
Jackson.	Riddle.
Jefferson.	Roberts.
Laird.	Rogers
Latham.	of Ochiltree.
Lemens.	Ross.
Leonard.	Steward.
Lotief.	Stinson.
Mackay.	Weinert.
Mathis.	Wells.
McClain.	West.
McDougald.	Wood.

Absent—Excused

Johnson	Russell.
of Dimmit.	

✓ Mrs. Hughes raised the point of order that there was not a quorum present.

The Speaker sustained the point of order.

Mr. Metcalfe moved a call of the House for the purpose of securing a quorum, and the call was duly seconded.

Question recurring on the motion for the call of the House, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—63

Aikin.	Holekamp.
Alexander.	Hughes.
Alsup.	Hunt.
Anderson	James.
of Bexar.	Jones of Atascosa.
Barrett.	Jones of Runnels.
Bedford.	Kayton.
Bourne.	Latham.
Bradley.	Lindsey.
Camp.	Lotief.
Canon.	Magee.
Chastain.	McCullough.
Clayton.	McDougald.
Colson.	McGregor.
Crossley.	McKee.
Dunagan.	Mitcham.
Fain.	Munson.
Few.	Nicholson.
Fisher.	Parkhouse.
Ford.	Pavlica.
Fuchs.	Puryear.
Glass.	Ratliff.
Golson.	Reader.
Good.	Roberts.
Harris.	Rogers of Hunt.
Hodges.	Rollins.

Savage.	Tennyson.
Scarborough.	Thomas.
Scott.	Van Zandt.
Smith.	Wagstaff.
Stovall.	Walker.
Tarwater.	Winningham.

Nays—42

Anderson	Jones of Shelby.
of Johnson.	Kyle of Palo Pinto.
Baker.	Laird.
Beck.	Long.
Coombes.	Merritt.
Daniel.	Metcalf.
Davidson.	Moore.
Dean.	Morrison.
Devall.	Morse.
Dunlap.	Palmer.
Graves.	Reed of Bowie.
Greathouse.	Reed of Dallas.
Haag.	Renfro.
Harman.	Ross.
Head.	Shannon.
Hicks.	Stanfield.
Hill of Webb.	Steward.
Huddleston.	Tillery.
Hyder.	Townsend.
Jefferson.	Turlington.
Johnson	Vaughan.
of Anderson.	Young.

Absent

Adamson.	Kyle of Hays.
Barron.	Lemens.
Burns.	Leonard.
Butler.	Mackay.
Calvert.	Mathis.
Cathey.	McClain.
Caven.	Moffett.
Cowley.	Patterson.
Duvall.	Pope.
Dwyer.	Ramsey.
Engelhard.	Ray.
Goodman.	Riddle.
Griffith.	Rogers
Hankamer.	of Ochiltree.
Harrison.	Shults.
Hartzog.	Stinson.
Hester.	Sullivant.
Hill of Brazoria.	Weinert.
Holland.	Wells.
Holloway.	West.
Hoskins.	Wood.
Jackson.	

Absent—Excused

Johnson	Russell.
of Dimmit.	

The Speaker announced that there was a quorum present.

Question then recurring on the motion by Mr. Parkhouse that the House Rule be suspended, and that House Bill No. 833 be laid on the

table subject to call, it was lost (not receiving the necessary two-thirds vote) by the following vote:

## Yeas—64

Aikin.	Lindsey.
Bedford.	Long.
Bourne.	McDougald.
Chastain.	McGregor.
Clayton.	Metcalfe.
Cowley.	Mitcham.
Crossley.	Moore.
Dean.	Munson.
Devall.	Palmer.
Fain.	Parkhouse.
Few.	Pavlica.
Ford.	Pope.
Fuchs.	Puryear.
Glass.	Ratliff.
Golson.	Reed of Bowie.
Goodman.	Reed of Dallas.
Greathouse.	Renfro.
Hankamer.	Roberts.
Harman.	Ross.
Hartzog.	Scarborough.
Head.	Shannon.
Hicks.	Shults.
Hill of Webb.	Smith.
Holekamp.	Steward.
Hoskins.	Tarwater.
James.	Tennyson.
Johnson	Thomas.
of Anderson.	Townsend.
Jones of Runnels.	Turlington.
Jones of Shelby.	Wagstaff.
Kayton.	Walker.
Kyle of Palo Pinto.	Winningham.
Laird.	

## Nays—46

Alexander.	Hunt.
Alsup.	Hyder.
Anderson	Jackson.
of Bexar.	Jones of Atascosa.
Baker.	Latham.
Barrett.	Lotief.
Beck.	Magee.
Burns.	McCullough.
Camp.	McKee.
Canon.	Merritt.
Cathey.	Morrison.
Coombes.	Nicholson.
Daniel.	Reader.
Davidson.	Rogers of Hunt.
Dunlap.	Rollins.
Dunagan.	Savage.
Fisher.	Scott.
Good.	Stanfield.
Graves.	Tillery.
Haag.	Van Zandt.
Harris.	Vaughan.
Harrison.	Wood.
Huddleston.	Young.
Hughes.	

## Present—Not Voting

Anderson	Hodges.
of Johnson.	Stovall.

## Absent

Adamson.	Leonard.
Barron.	Mackay.
Bradley.	Mathis.
Butler.	McClain.
Calvert.	Moffett.
Caven.	Morse.
Colson.	Patterson.
Duvall.	Ramsey.
Dwyer.	Ray.
Engelhard.	Riddle.
Griffith.	Rogers
Hester.	of Ochiltree.
Hill of Brazoria.	Stinson.
Holland.	Sullivant.
Holloway.	Weinert.
Jefferson.	Wells.
Kyle of Hays.	West.
Lemens.	

## Absent—Excused

Johnson	Russell.
of Dimmit.	

### MOTION TO LAY HOUSE BILL NO. 322 ON TABLE SUBJECT TO CALL

Mr. Chastain moved that the House Rule, relative to the regular order of business, be suspended, and that House Bill No. 322 be laid on the table subject to call.

The motion was lost by the following vote:

## Yeas—49

Adamson.	McKee.
Aikin.	Moore.
Alexander.	Morrison.
Bourne.	Morse.
Bradley.	Nicholson.
Canon.	Parkhouse.
Chastain.	Patterson.
Colson.	Pavlica.
Fain.	Pope.
Fuchs.	Ratliff.
Golson.	Reed of Bowie.
Greathouse.	Roberts.
Griffith.	Rogers of Hunt.
Harris.	Rollins.
Hicks.	Ross.
Huddleston.	Scarborough.
Jefferson.	Scott.
Jones of Shelby.	Shannon.
Latham.	Steward.
Lindsey.	Stovall.
Long.	Turlington.
Magee.	Vaughan.
McGregor.	Wagstaff.

Walker.  
Winningham.

Wood.

Nays—55

Alsup.  
Anderson  
of Johnson.  
Barrett.  
Beck.  
Burns.  
Calvert.  
Cathey.  
Clayton.  
Coombes.  
Cowley.  
Crossley.  
Daniel.  
Davidson.  
Dunagan.  
Engelhard.  
Few.  
Fisher.  
Ford.  
Glass.  
Good.  
Goodman.  
Haag.  
Hankamer.  
Harrison.  
Head.  
Hill of Webb.  
Hodges.  
Holekamp.

Hoskins.  
Hughes.  
Hunt.  
Hyder.  
Jackson.  
James.  
Kayton.  
Kyle of Hays.  
Kyle of Palo Pinto.  
McCullough.  
Merritt.  
Munson.  
Palmer.  
Puryear.  
Reed of Dallas.  
Renfro.  
Rogers  
of Ochiltree.  
Shults.  
Stanfield.  
Tarwater.  
Tennyson.  
Thomas.  
Tillery.  
Townsend.  
Van Zandt.  
Wells.  
Young.

Present—Not Voting

Devall.

Absent

Anderson  
of Bexar.  
Baker.  
Barron.  
Bedford.  
Butler.  
Camp.  
Caven.  
Dean.  
Dunlap.  
Duvall.  
Dwyer.  
Graves.  
Harman.  
Hartzog.  
Hester.  
Hill of Brazoria.  
Holland.  
Holloway.  
Johnson  
of Anderson.  
Jones of Atascosa.

Jones of Runnels.  
Laird.  
Lemens.  
Leonard.  
Lotief.  
Mackay.  
Mathis.  
McClain.  
McDougald.  
Metcalf.  
Mitcham.  
Moffett.  
Ramsey.  
Ray.  
Reader.  
Riddle.  
Savage.  
Smith.  
Stinson.  
Sullivant.  
Weinert.  
West.

Absent—Excused

Johnson  
of Dimmit.

Russell.

HOUSE BILL NO. 167 ON PASSAGE  
TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 167, making an appropriation for the support of the various departments of the State Government, on its passage to engrossment; the bill having heretofore been read second time, with committee amendment by Mr. Harman, pending;

The House having under consideration at this time the section of the amendment relative to the State Insurance Commission.

Mr. Calvert moved to reconsider the vote by which the first division of the amendment by Mr. Hartzog, relative to lines 19 and 20, was adopted.

Mr. Hartzog moved to table the motion to reconsider.

The motion to table was lost.

Question then recurring on the motion to reconsider the vote, it prevailed.

Question then recurring on this section of the amendment, it was adopted by the following vote:

Yeas—60

Adamson.  
Baker.  
Barron.  
Bourne.  
Cathey.  
Colson.  
Crossley.  
Davidson.  
Dean.  
Dunagan.  
Engelhard.  
Fain.  
Fisher.  
Glass.  
Haag.  
Harrison.  
Hartzog.  
Hicks.  
Hill of Brazoria.  
Holloway.  
Huddleston.  
Hunt.  
Hyder.  
James.  
Jefferson.  
Johnson  
of Anderson.  
Jones of Atascosa.  
Jones of Runnels.  
Kyle of Palo Pinto.  
Laird.

Latham.  
McGregor.  
McKee.  
Merritt.  
Munson.  
Nicholson.  
Palmer.  
Pavlica.  
Ratliff.  
Reader.  
Reed of Bowie.  
Riddle.  
Roberts.  
Rogers of Hunt.  
Savage.  
Scarborough.  
Scott.  
Shults.  
Smith.  
Stanfield.  
Tarwater.  
Tennyson.  
Thomas.  
Tillery.  
Vaughan.  
Wagstaff.  
Walker.  
Weinert.  
Winningham.  
Young.

## Nays—46

Aikin.	Jackson.
Alexander.	Kayton.
Alsup.	Lemens.
Barrett.	Leonard.
Beck.	Lindsey.
Burns.	Long.
Calvert.	Lotief.
Canon.	Magee.
Caven.	Morrison.
Chastain.	Morse.
Clayton.	Parkhouse.
Coombes.	Puryear.
Cowley.	Ramsey.
Daniel.	Ray.
Devall.	Reed of Dallas.
Ford.	Rogers
Good.	of Ochiltree.
Greathouse.	Rollins.
Griffith.	Ross.
Hankamer.	Shannon.
Head.	Stovall.
Hill of Webb.	Van Zandt.
Holekamp.	Wood.
Hughes.	

## Absent

Anderson	Jones of Shelby.
of Bexar.	Kyle of Hays.
Anderson	Mackay.
of Johnson.	Mathis.
Bedford.	McClain.
Bradley.	McCullough.
Butler.	McDougald.
Camp.	Metcalfe.
Dunlap.	Mitcham.
Duvall.	Moffett.
Dwyer.	Moore.
Few.	Patterson.
Fuchs.	Pope.
Golson.	Renfro.
Goodman.	Steward.
Graves.	Stinson.
Harman.	Sullivant.
Harris.	Townsend.
Hester.	Turlington.
Hodges.	Wells.
Holland.	West.
Hoskins.	

## Absent—Excused

Johnson	Russell.
of Dimmit.	

Mr. Hartzog offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167 by striking out lines 27, 28, 29, 30, 31, 32, and 33, on page 27.

The amendment was adopted.

Mr. Hartzog offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167 by striking out the figures "\$3,600," wherever it appears in line 9, page 23, and inserting in lieu thereof the figures "\$4,000."

Mr. Kayton offered the following substitute for the amendment by Mr. Hartzog:

Substitute for amendment to committee amendment to House Bill No. 167, page 23, line 10, by changing figures "\$3,600" to "\$3,000."

KAYTON,  
CAMP,  
SULLIVANT.

Mr. Hartzog moved to table the amendment by Mr. Kayton.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

## Yeas—30

Bourne.	Kyle of Hays.
Clayton.	Kyle of Palo Pinto.
Colson.	Leonard.
Dean.	Magee.
Ford.	Merritt.
Greathouse.	Mitcham.
Griffith.	Moore.
Hankamer.	Ratliff.
Harman.	Renfro.
Hartzog.	Roberts.
Holland.	Savage.
Hoskins.	Shannon.
Hyder.	Wagstaff.
Jefferson.	Wood.
Jones of Runnels.	Young.

## Nays—87

Adamson.	Glass.
Aikin.	Golson.
Alsup.	Good.
Baker.	Haag.
Barrett.	Harrison.
Beck.	Head.
Bedford.	Hicks.
Bradley.	Hill of Brazoria.
Calvert.	Hill of Webb.
Camp.	Hodges.
Canon.	Huddleston.
Cathey.	Hughes.
Caven.	Hunt.
Chastain.	Jackson.
Coombes.	James.
Cowley.	Johnson
Crossley.	of Anderson.
Daniel.	Jones of Atascosa.
Davidson.	Kayton.
Devall.	Laird.
Dunagan.	Latham.
Fain.	Lemens.
Few.	Lindsey.
Fisher.	Lotief.

Mackay.	Scott.
McClain.	Shults.
McCullough.	Smith.
McKee.	Stanfield.
Morrison.	Steward.
Munson.	Stinson.
Nicholson.	Stovall.
Palmer.	Sullivan.
Parkhouse.	Tarwater.
Pavlica.	Tennyson.
Puryear.	Thomas.
Ray.	Tillery.
Reader.	Townsend.
Reed of Bowie.	Turlington.
Reed of Dallas.	Van Zandt.
Riddle.	Vaughan.
Rogers of Hunt.	Walker.
Rogers	Wells.
of Ochiltree.	West.
Rollins.	Winningham.
Ross.	

## Absent

Alexander.	Hester.
Anderson	Holekamp.
of Bexar.	Holloway.
Anderson	Jones of Shelby.
of Johnson.	Long.
Barron.	Mathis.
Burns.	McDougald.
Butler.	McGregor.
Dunlap.	Metcalf.
Duvall.	Moffett.
Dwyer.	Morse.
Engelhard.	Patterson.
Fuchs.	Pope.
Goodman.	Ramsey.
Graves.	Scarborough.
Harris.	Weinert.

## Absent—Excused

Johnson	Russell.
of Dimmit.	

Question then recurring on the substitute amendment by Mr. Kayton, yeas and nays were demanded.

The substitute amendment was adopted by the following vote:

## Yeas—77

Adamson.	Dunagan.
Aikin.	Fain.
Alsup.	Few.
Barrett.	Fisher.
Beck.	Glass.
Calvert.	Good.
Canon.	Haag.
Cathey.	Harrison.
Chastain.	Head.
Coombes.	Hicks.
Crossley.	Hill of Brazoria.
Daniel.	Hill of Webb.
Davidson.	Hodges.
Devall.	Holland.

Huddleston.	Reed of Dallas.
Hunt.	Riddle.
Jackson.	Rogers of Hunt.
James.	Rogers
Johnson	of Ochiltree.
of Anderson.	Rollins.
Jones of Runnels.	Ross.
Kayton.	Scott.
Laird.	Shults.
Latham.	Smith.
Lemens.	Stanfield.
Lotief.	Steward.
Magee.	Stovall.
Mackay.	Sullivan.
McClain.	Tennyson.
McCullough.	Thomas.
Merritt.	Tillery.
Morrison.	Townsend.
Nicholson.	Van Zandt.
Palmer.	Vaughan.
Parkhouse.	Walker.
Pavlica.	Weinert.
Puryear.	Wells.
Ray.	Winningham.
Reader.	Wood.
Reed of Bowie.	

## Nays—35

Baker.	Jefferson.
Bedford.	Jones of Atascosa.
Bourne.	Kyle of Hays.
Bradley.	Kyle of Palo Pinto.
Caven.	Lindsey.
Clayton.	McGregor.
Dean.	Mitcham.
Ford.	Moore.
Golson.	Ratliff.
Greathouse.	Renfro.
Griffith.	Roberts.
Hankamer.	Savage.
Harman.	Shannon.
Hartzog.	Stinson.
Holekamp.	Turlington.
Hoskins.	Wagstaff.
Hughes.	Young.
Hyder.	

## Absent

Alexander.	Hester.
Anderson	Holloway.
of Bexar.	Jones of Shelby.
Anderson	Leonard.
of Johnson.	Long.
Barron.	Mathis.
Burns.	McDougald.
Butler.	McKee.
Camp.	Metcalf.
Colson.	Moffett.
Cowley.	Morse.
Dunlap.	Munson.
Duvall.	Patterson.
Dwyer.	Pope.
Engelhard.	Ramsey.
Fuchs.	Scarborough.
Goodman.	Tarwater.
Graves.	West.
Harris.	

## Absent—Excused

Johnson                      Russell.  
of Dimmit.

The amendment as substituted was then adopted.

Mr. Huddleston offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167, page 23, by striking out the figures "\$8,000," in line 32, and insert in lieu thereof the figures "\$6,000."

Mr. Hartzog moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—69

Adamson.	Jones of Runnels.
Alsup.	Kayton.
Anderson	Kyle of Hays.
of Johnson.	Kyle of Palo Pinto.
Baker.	Lemens.
Bedford.	Leonard.
Bradley.	Lindsey.
Caven.	Lotief.
Chastain.	Mackay.
Clayton.	McCullough.
Colson.	McGregor.
Crossley.	McKee.
Daniel.	Merritt.
Few.	Mitcham.
Ford.	Moore.
Fuchs.	Munson.
Golson.	Patterson.
Goodman.	Ratliff.
Greathouse.	Ray.
Griffith.	Reader.
Haag.	Riddle.
Hankamer.	Roberts.
Harman.	Rollins.
Hartzog.	Shannon.
Head.	Smith.
Hester.	Stanfield.
Hodges.	Stovall.
Holekamp.	Sullivant.
Holland.	Tarwater.
Hoskins.	Thomas.
Hughes.	Townsend.
Hyder.	Van Zandt.
Jackson.	Wagstaff.
James.	Walker.
Jefferson.	Wood.
Jones of Atascosa.	Young.

## Nays—48

Aikin.	Calvert.
Barrett.	Camp.
Beck.	Canon.
Bourne.	Cathey.

Coombes.	Parkhouse.
Cowley.	Pope.
Davidson.	Puryear.
Dean.	Reed of Bowie.
Dunagan.	Reed of Dallas.
Fain.	Renfro.
Fisher.	Rogers of Hunt.
Glass.	Ross.
Good.	Savage.
Hicks.	Scott.
Hill of Brazoria.	Shults.
Huddleston.	Steward.
Hunt.	Stinson.
Laird.	Tennyson.
Latham.	Tillery.
Magee.	Turlington.
McClain.	Vaughan.
Morrison.	Weinert.
Nicholson.	Wells.
Palmer.	Winningham.

## Absent

Alexander.	Holloway.
Anderson	Johnson
of Bexar.	of Anderson.
Barron.	Jones of Shelby.
Burns.	Long.
Butler.	Mathis.
Devall.	McDougald.
Dunlap.	Metcalfe.
Duvall.	Moffett.
Dwyer.	Morse.
Engelhard.	Pavlica.
Graves.	Ramsey.
Harris.	Rogers of Ochiltree.
Harrison.	Scarborough.
Hill of Webb.	West.

## Absent—Excused

Johnson of Dimmit. Russell.

Mr. Sullivant offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167 by striking out the figures "\$3,600," in line 10, page 24, and insert in lieu thereof the figures "\$3,000."

SULLIVANT,  
KAYTON.

The amendment was adopted.

Mr. Sullivant offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167, page 26, line 9, by striking out the figures "\$3,600," wherever they occur, and insert in lieu thereof the figures "\$3,000."

SULLIVANT,  
KAYTON.

The amendment was adopted.



Mr. Kayton offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167, page 27, line 25, by changing the figures "\$3,600" to "\$3,000."

SULLIVANT,  
KAYTON.

The amendment was adopted.

Mr. Kayton offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167, page 27, line 26, by changing the figures "\$3,600" to "\$3,000."

KAYTON,  
SULLIVANT.

The amendment was adopted.

Mr. Lotief offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167, page 24, line 21, by striking out figures "\$2,100" and insert in lieu thereof "\$1,800."

The amendment was adopted.

Mr. Lotief offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167, page 24, line 20, by striking out the figures "\$2,400," and insert in lieu thereof "\$2,100."

The amendment was lost.

Mr. Harman offered the following amendment to this section of the committee amendment relative to the Board of Mineral Development:

Amend committee amendment to House Bill No. 167, page 29, line 25, by adding, at the end thereof, "and the preceding year's balance of receipts."

The amendment was adopted.

Mr. Harman offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167, page 30, line 6, by inserting after the word "Development," and before the word "the," the following: "and the preceding year's balance"; on line 7, page 30, after the word "money" and before the word "as," the following: "from receipts."

The amendment was adopted.

Mr. Beck offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167, page 29, by striking out lines 24 to 40, inclusive, and on page 30, by striking out lines 1 to 9, inclusive.

BECK,  
AIKIN.

Mr. Fisher offered the following substitute for the amendment by Mr. Beck:

Amend committee amendment to House Bill No. 167 to combine Board of Mineral Development with the Board of Water Engineers.

Mr. Van Zandt raised a point of order on further consideration of the amendment by Mr. Fisher, on the ground that the amendment is unconstitutional, because it attempts to amend a statute through an appropriation bill.

The Speaker sustained the point of order.

Question then recurring on the amendment, by Mr. Beck, it was adopted.

Mr. Dunagan offered the following amendment to the Board of Medical Examiners:

Amend committee amendment to House Bill No. 167, page 30, line 15, by striking out the figures "\$3,000," and insert in lieu thereof "\$2,000."

DUNAGAN,  
CAMP.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—51

Adamson.	Harris.
Aikin.	Hicks.
Anderson	Holekamp.
of Johnson.	Holloway.
Baker.	Huddleston.
Bradley.	Hyder.
Calvert.	Jackson.
Camp.	James.
Canon.	Jones of Shelby.
Cathey.	Latham.
Chastain.	Lemens.
Devall.	Lotief.
Dunagan.	McClain.
Fain.	McCullough.
Fisher.	McKee.
Fuchs.	Merritt.
Glass.	Moffett.

Morrison.	Scott.
Nicholson.	Shults.
Palmer.	Smith.
Parkhouse.	Tennyson.
Pavlica.	Thomas.
Puryear.	Tillery.
Reed of Bowie.	Turlington.
Riddle.	Vaughan.
Rogers of Hunt.	Wood.

## Nays—56

Beck.	Leonard.
Bourne.	Lindsey.
Burns.	Long.
Caven.	Mackay.
Clayton.	Magee.
Coombes.	McGregor.
Cowley.	Munson.
Crossley.	Patterson.
Daniel.	Pope.
Davidson.	Ratliff.
Dean.	Ray.
Few.	Reader.
Ford.	Reed of Dallas.
Golson.	Roberts.
Good.	Rollins.
Goodman.	Ross.
Greathouse.	Shannon.
Griffith.	Stanfield.
Haag.	Steward.
Hankamer.	Stinson.
Head.	Stovall.
Hodges.	Townsend.
Hughes.	Van Zandt.
Hunt.	Walker.
Jones of Runnels.	Weinert.
Kayton.	West.
Kyle of Hays.	Winningham.
Kyle of Palo Pinto.	Young.

## Absent

Alexander.	Jefferson.
Alsup.	Johnson
Anderson	of Anderson.
of Bexar.	Jones of Atascosa.
Barrett.	Laird.
Barron.	Mathis.
Bedford.	McDougald.
Butler.	Metcalfe.
Colson.	Mitcham.
Dunlap.	Moore.
Duvall.	Morse.
Dwyer.	Ramsey.
Engelhard.	Renfro.
Graves.	Rogers
Harman.	of Ochiltree.
Harrison.	Savage.
Hartzog.	Scarborough.
Hester.	Sullivant.
Hill of Brazoria.	Tarwater.
Hill of Webb.	Wagstaff.
Holland.	Wells.
Hoskins.	

## Absent—Excused

Johnson	Russell.
of Dimmit.	

Mr. Lotief offered the following amendment to the section of the amendment relative to the Board of Pardons and Paroles:

Amend committee amendment to House Bill No. 167, page 31, lines 1 to 19, by striking out all the lines.

LOTIEF,  
FAIN,  
VAN ZANDT,  
BECK,  
AIKIN.

Mr. Kayton moved the previous question on the adoption of the amendment, and the main question was ordered.

Question recurring on the amendment, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 60; nays, 61.

Mr. Lotief called for a verification of the vote.

The roll of the yeas and nays was then called, and the verified vote announced as follows:

## Yeas—56

Adamson.	McKee.
Aikin.	Munson.
Anderson	Nicholson.
of Bexar.	Parkhouse.
Anderson	Pavlica.
of Johnson.	Pope.
Baker.	Puryear.
Barrett.	Ray.
Beck.	Reader.
Bourne.	Reed of Bowie.
Chastain.	Reed of Dallas.
Cowley.	Riddle.
Devall.	Roberts.
Dunagan.	Rogers of Hunt.
Fain.	Rollins.
Fisher.	Ross.
Glass.	Scarborough.
Good.	Scott.
Hicks.	Shults.
Hodges.	Stanfield.
Huddleston.	Stinson.
Hunt.	Sullivant.
Hyder.	Tarwater.
James.	Thomas.
Kayton.	Tillery.
Laird.	Van Zandt.
Latham.	Walker.
Lotief.	Winningham.
McClain.	Young.

## Nays—60

Alexander.	Bradley.
Alsup.	Burns.
Bedford.	Canon.

Caven.	Kyle of Hays.
Clayton.	Leonard.
Colson.	Lindsey.
Coombes.	Long.
Crossley.	Mackay.
Daniel.	Magee.
Davidson.	McCullough.
Dean.	McGregor.
Engelhard.	Merritt.
Few.	Metcalfe.
Ford.	Mitcham.
Fuchs.	Morse.
Golson.	Palmer.
Goodman.	Ratliff.
Greathouse.	Savage.
Griffith.	Shannon.
Haag.	Smith.
Hankamer.	Steward.
Harman.	Stovall.
Harris.	Tennyson.
Hartzog.	Townsend.
Head.	Turlington.
Hoskins.	Vaughan.
Hughes.	Wagstaff.
Jackson.	Weinert.
Jones of Atascosa.	Wells.
Jones of Runnels.	Wood.

## Absent

Barron.	Johnson
Butler.	of Anderson.
Calvert.	Jones of Shelby.
Camp.	Kyle of Palo Pinto.
Cathey.	Lemens.
Dunlap.	Mathis.
Duvall.	McDougald.
Dwyer.	Moffett.
Graves.	Moore.
Harrison.	Morrison.
Hester.	Patterson.
Hill of Brazoria.	Ramsey.
Hill of Webb.	Renfro.
Holekamp.	Rogers
Holland.	of Ochiltree.
Holloway.	West.
Jefferson.	

## Absent—Excused

Johnson	Russell.
of Dimmit.	

The Speaker announced that the amendment was lost.

Mr. Alexander moved to reconsider the vote by which the amendment was lost, and to table the motion to reconsider.

Question recurring on the motion to table, it prevailed by the following vote:

## Yeas—65

Alexander.	Bradley.
Alsup.	Burns.
Bedford.	Canon.

Caven.	Leonard.
Chastain.	Lindsey.
Clayton.	Long.
Crossley.	Magee.
Daniel.	Mackay.
Davidson.	McCullough.
Dean.	McGregor.
Engelhard.	Merritt.
Few.	Mitcham.
Ford.	Moffett.
Fuchs.	Moore.
Golson.	Morse.
Goodman.	Palmer.
Greathouse.	Ramsey.
Haag.	Ratliff.
Hankamer.	Rollins.
Harman.	Savage.
Harris.	Shannon.
Hartzog.	Smith.
Head.	Steward.
Holekamp.	Stovall.
Hoskins.	Tarwater.
Hughes.	Thomas.
Jackson.	Townsend.
Jones of Atascosa.	Turlington.
Jones of Runnels.	Vaughan.
Jones of Shelby.	Weinert.
Kyle of Hays.	Wood.
Kyle of Palo Pinto.	Young.
Lemens.	

## Nays—55

Adamson.	Latham.
Aikin.	Lotief.
Anderson	McClain.
of Bexar.	McKee.
Anderson	Morrison.
of Johnson.	Munson.
Baker.	Nicholson.
Barrett.	Parkhouse.
Barron.	Pavlica.
Beck.	Pope.
Bourne.	Puryear.
Camp.	Ray.
Cathey.	Reed of Bowie.
Coombes.	Reed of Dallas.
Cowley.	Roberts.
Devall.	Rogers of Hunt.
Dunagan.	Scarborough.
Fain.	Scott.
Fisher.	Shults.
Glass.	Stanfield.
Good.	Stinson.
Hicks.	Sullivant.
Hodges.	Tennyson.
Holland.	Tillery.
Huddleston.	Van Zandt.
Hunt.	Walker.
Hyder.	Wells.
James.	Winningham.
Kayton.	

## Absent

Butler.	Duvall.
Calvert.	Dwyer.
Colson.	Graves.
Dunlap.	Griffith.

Harrison.	Metcalf.
Hester.	Patterson.
Hill of Brazoria.	Reader.
Hill of Webb.	Renfro.
Holloway.	Riddle.
Jefferson.	Rogers
Johnson	of Ochiltree.
of Anderson.	Ross.
Laird.	Wagstaff.
Mathis.	West.
McDougald.	

## Absent—Excused

Johnson	Russell.
of Dimmit.	

Mr. Sullivant offered the following amendment to the section of the committee amendment relative to the State Board of Water Engineers:

Amend committee amendment to House Bill No. 167, page 31, by striking out lines 14 to 34, inclusive, of the printed bill.

AIKIN,  
SULLIVANT.

Mr. Clayton offered the following substitute for the amendment by Mr. Sullivant:

Substitute for amendment to committee amendment to House Bill No. 167 by striking out lines 13 to 31, inclusive.

CLAYTON,  
SULLIVANT,  
AIKIN.

The substitute amendment was adopted.

The amendment as substituted was adopted by the following vote:

## Yeas—77

Adamson.	Ford.
Aikin.	Fuchs.
Alsup.	Glass.
Baker.	Golson.
Barrett.	Good.
Barron.	Harris.
Beck.	Head.
Bedford.	Hicks.
Bourne.	Huddleston.
Bradley.	Hughes.
Camp.	Hunt.
Canon.	Hyder.
Cathey.	Jackson.
Chastain.	James.
Coombes.	Jones of Runnels.
Cowley.	Jones of Shelby.
Crossley.	Kayton.
Devall.	Laird.
Dunagan.	Latham.
Fain.	Lindsey.
Fisher.	Lotief.

Magee.	Rollins.
McClain.	Scarborough.
McCullough.	Scott.
McDougald.	Shults.
Merritt.	Stanfield.
Mitcham.	Stinson.
Morrison.	Sullivant.
Pavlica.	Tarwater.
Pope.	Tennyson.
Puryear.	Thomas.
Ray.	Turlington.
Reader.	Van Zandt.
Reed of Bowie.	Vaughan.
Reed of Dallas.	Wagstaff.
Roberts.	Walker.
Rogers of Hunt.	Wells.
Rogers	Wood.
of Ochiltree.	Young.

## Nays—44

Alexander.	Hoskins.
Anderson	Jones of Atascosa.
of Bexar.	Kyle of Hays.
Anderson	Leonard.
of Johnson.	Mackay.
Burns.	McGregor.
Caven.	Moffett.
Clayton.	Moore.
Colson.	Morse.
Daniel.	Munson.
Davidson.	Nicholson.
Dean.	Palmer.
Dwyer.	Parkhouse.
Engelhard.	Ratliff.
Goodman.	Renfro.
Greathouse.	Ross.
Griffith.	Smith.
Haag.	Steward.
Hankamer.	Stovall.
Harman.	Tillery.
Hartzog.	Townsend.
Hodges.	West.
Holekamp.	Winningham.

## Absent

Butler.	Johnson
Calvert.	of Anderson.
Dunlap.	Kyle of Palo Pinto.
Duvall.	Lemens.
Few.	Long.
Graves.	Mathis.
Harrison.	McKee.
Hester.	Metcalf.
Hill of Brazoria.	Patterson.
Hill of Webb.	Ramsey.
Holland.	Riddle.
Holloway.	Savage.
Jefferson.	Shannon.
	Weinert.

## Absent—Excused

Johnson	Russell.
of Dimmit.	

Mr. Camp moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Huddleston offered the following amendment to the section of the amendment relative to the Bureau of Labor Statistics:

Amend committee amendment to House Bill No. 167 by striking out lines 37 to 40, inclusive, on page 31; strike out also lines 1 to 31, inclusive, on page 32.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

#### Yeas—13

Baker.	Reed of Bowie.
Fain.	Riddle.
Fisher.	Scarborough.
Head.	Shults.
Hicks.	Turlington.
Huddleston.	Vaughan.
Munson.	

#### Nays—95

Adamson.	Harman.
Aikin.	Harris.
Alsup.	Hodges.
Anderson	Holekamp.
of Bexar.	Holland.
Anderson	Hoskins.
of Johnson.	Hughes.
Barrett.	Hunt.
Beck.	Hyder.
Bedford.	Jackson.
Bourne.	James.
Bradley.	Jones of Runnels.
Burns.	Jones of Shelby.
Canon.	Kayton.
Cathey.	Laird.
Chastain.	Lemens.
Clayton.	Leonard.
Colson.	Lindsey.
Coombes.	Magee.
Cowley.	Mackay.
Crossley.	McClain.
Daniel.	McDougald.
Davidson.	McGregor.
Dean.	McKee.
Dunagan.	Merritt.
Dwyer.	Mitcham.
Engelhard.	Moffett.
Ford.	Moore.
Glass.	Morrison.
Golson.	Morse.
Good.	Palmer.
Greathouse.	Pavlica.
Griffith.	Pope.
Haag.	Puryear.
Hankamer.	Ratliff.

Ray.	Stinson.
Reader.	Stovall.
Reed of Dallas.	Sullivant.
Renfro.	Tarwater.
Roberts.	Tennyson.
Rogers of Hunt.	Thomas.
Rogers	Tillery.
of Ochiltree.	Townsend.
Rollins.	Van Zandt.
Ross.	Wagstaff.
Savage.	Wells.
Smith.	Winningham.
Stanfield.	Wood.
Steward.	Young.

#### Present—Not Voting

Camp.	Devall.
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#### Absent

Alexander.	Jones of Atascosa.
Barron.	Kyle of Hays.
Butler.	Kyle of Palo Pinto.
Calvert.	Latham.
Caven.	Long.
Dunlap.	Lotief.
Duvall.	Mathis.
Few.	McCullough.
Fuchs.	Metcalf.
Goodman.	Nicholson.
Graves.	Parkhouse.
Harrison.	Patterson.
Hartzog.	Ramsey.
Hester.	Scott.
Hill of Brazoria.	Shannon.
Hill of Webb.	Walker.
Holloway.	Weinert.
Jefferson.	West.
Johnson	
of Anderson.	

#### Absent—Excused

Johnson	Russell.
of Dimmit.	

Mr. Harman offered the following amendment to the section of the amendment relative to the State Comptroller's Department:

Amend committee amendment to House Bill No. 167, page 33, line 25, by striking out the figures "\$40,500," each year, and inserting in lieu thereof the following: "\$51,300," each year, and by striking out all of lines 26, 27, 28, and 29.

The amendment was adopted.

Mr. Lotief offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167, page 34, line 28,

by striking out the figures "\$32,500," and insert in lieu thereof "\$25,000."

LOTIEF,  
DUNAGAN.

The amendment was lost.

Mr. Harman offered the following amendments to the section of the committee amendment relative to the Natural Gas and Cigarette Division:

(1)

Amend committee amendment to House Bill No. 167, page 36, line 31, by inserting after the word "cigarette" the word "tax."

(2)

Amend committee amendment to House Bill No. 167, page 37, line 36, by inserting after the word "fees" the following: "and/or other non-constitutionally restricted local institutional receipts."

The amendments were severally adopted.

Mr. Harman offered the following amendment to the section of the committee amendment relative to the State Department of Education:

Amend committee amendment to House Bill No. 167, page 38, line 19, by adding after the word "examiners" the following: "none to exceed \$2,100 per year."

Mr. Kayton offered the following substitute for the amendment by Mr. Harman:

Substitute "\$1,800" for "\$2,100," and change figures to "\$14,400," each year.

The substitute amendment was adopted.

The amendment as substituted was then adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, March 29, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 474, A bill to be entitled "An Act to amend Article 2547, Revised Civil Statutes of Texas, as amended by the Forty-first Legislature, at the Regular Session, and as

further amended by Senate Bill No. 153, Acts of the Forty-third Legislature, Regular Session; and declaring an emergency."

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

#### SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 203, to the Committee on Public Lands and Buildings.  
Senate Bill No. 474, to the Committee on Banks and Banking.

#### NOTICES GIVEN

Mr. Moore gave notice that he would, on tomorrow, move to take up, for consideration at that time, House Bill No. 262, which bill had heretofore been laid on the table subject to call.

Mr. Pope gave notice that he would, on tomorrow, move to take up, for consideration at that time, House Bill No. 95, which bill had heretofore been laid on the table subject to call.

Mr. Daniel gave notice that he would, on tomorrow, move to take up, for consideration at that time, House Bill No. 717, which bill had heretofore been laid on the table subject to call.

Mr. Lindsey gave notice that he would, on tomorrow, move to take up, for consideration at that time, House Bill No. 649, which bill had heretofore been laid on the table subject to call.

Mr. Van Zandt gave notice that he would, on the next Legislative day, move to take up, for consideration at that time, House Bill No. 144, which bill had heretofore been laid on the table subject to call.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, March 29, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the conference committee report on Senate Concurrent Resolution No. 12, by a viva voce vote.

The Senate has adopted conference committee report on Senate Bill No. 421 by the following vote: Yeas, 21; nays, 10.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 7, "An Act providing a uniform system of selecting the number and setting the salaries of deputies of the sheriff, county clerk, county attorney, district clerk, tax assessor, tax collector, district attorney, constables, and justices of the peace in precincts of more than fifty thousand inhabitants, etc.; and declaring an emergency."

S. B. No. 421, "An Act amending Article 4682, of the Revised Civil Statutes, by adding thereto Subsection 21, authorizing the Board of Insurance Commissioners, with approval of the Governor of Texas, to exercise such incidental and implied powers and duties as may be necessary to carry out the purposes and intent of the insurance laws of this State, and, by adding thereto Subsection 22, authorizing the Board of Insurance Commissioners to prescribe rules and regulations for carrying out the purposes and intent of the insurance laws of this State; and declaring an emergency."

H. C. R. No. 52, Authorizing the correction of the caption of House Bill No. 7.

S. C. R. No. 12, To grant certain party permission to sue the State.

#### ADDRESS BY THE HON. J. L. GOODMAN

In the House of Representatives,  
Austin, Texas, March 28, 1933.

In response to a resolution of respect, adopted by the House, and the gift of a valued watch, which was presented at the time, Hon. J. L. Goodman, of Robertson County, said, in part, as follows:

"Mr. Speaker and Members of the House:

"This is so unexpected and so gracious on the part of this House, I must acknowledge that it is in some degree embarrassing to me, but permit me to say in the presence of such a magnanimous host of friends, who have thus voluntarily placed this honor upon me, that my very soul is filled with gratitude.

"When one reaches the ripe age of 81 years, he then no longer looks to the East, but his face is set squarely to the setting sun, and what more could one ask that in contemplation of the day of his dissolution than this genuine manifestation of love and friendship. Under such conditions one can justly look back and realize how glorious it is to enjoy the confidence, the esteem, and friendship of the people of a great State like Texas.

"I have been a citizen of Texas for more than fifty years, and nearly half of that time I have occupied some position of public trust, engaged in the public service. My people at home, whom I shall never forget, have probably honored me beyond my deserts; but whether that be true or not my friends back in my little home county and the people who have elected and honored me have given me a chance to render the public service that I have performed for them. Then, to come here and in the midst of my fifth term in this Body, and meet such a unanimous manifestation of love and respect, such an open declaration of friendship, and such feeling of sympathy, that it almost overwhelms me with joy, and when the end comes for me, and Nature has provided that it shall not be long, I shall go to my everlasting home with my last thoughts centered upon the good people of the Legislature and of the whole State.

"I can truthfully say that among the great number of friends with whom I have served in this Body, beginning in the long past, there is not one that I can not remember and claim as my personal friend.

"Now, my friends, I do not know what further I might say, but I assure you that my time and energy shall be devoted to the welfare of my State, with love and affection for the good men and women, with whom I have been associated with, ever fresh in my heart. I can not let the occa-

sion pass without mentioning the fact that politically I am a Democrat. I have always been proud of the fact that I was a Southern Democrat, casting my first vote for Horace Greeley in 1872, and during my entire life I have been somewhat active in the Democratic Party in the section where I live, and have advocated, at all times and under all circumstances, the Democratic Party, its policies, and principles as laid down by Thomas Jefferson.

"Mr. Speaker, I can say no more. I sincerely thank you and the Members of this House, and shall never forget you, but the memory of our pleasant association shall remain fresh in my mind throughout the remainder of the few years which may be allotted to me. May the God of Heaven bless you one and all."

## RECESS

Mr. James moved that the House recess to 9:30 o'clock a. m., tomorrow.

Mr. Wagstaff moved that the House recess to 7:30 o'clock p. m., today.

Mr. Wells moved that the House adjourn until 9 o'clock a. m., tomorrow.

Mr. Walker moved that the House recess to 8 o'clock p. m., today.

Mr. Parkhouse moved that the House adjourn until 8 o'clock a. m., tomorrow.

Question recurring on the motion by Mr. Wagstaff, yeas and nays were demanded.

The motion was lost by the following vote:

## Yeas—39

Aikin.	Kayton.
Alsup.	Latham.
Anderson	Mackay.
of Bexar.	McClain.
Barron.	McDougald.
Beck.	McGregor.
Bedford.	Merritt.
Bourne.	Mitcham.
Calvert.	Parkhouse.
Camp.	Puryear.
Canon.	Reed of Dallas.
Coombes.	Riddle.
Fain.	Rogers of Hunt.
Fisher.	Rogers of Ochiltree.
Glass.	Ross.
Good.	Savage.
Hankamer.	Scott.
Hodges.	Tennyson.
Holekamp.	Wagstaff.
Hyder.	Walker.

## Nays—72

Adamson.	Lotief.
Alexander.	Magee.
Anderson	McCullough.
of Johnson.	McKee.
Baker.	Moffett.
Bradley.	Moore.
Burns.	Morrison.
Cathey.	Morse.
Caven.	Munson.
Chastain.	Patterson.
Clayton.	Pavlica.
Colson.	Pope.
Crossley.	Ratliff.
Daniel.	Ray.
Davidson.	Reed of Bowie.
Dean.	Renfro.
Devall.	Roberts.
Dunagan.	Rollins.
Ford.	Scarborough.
Fuchs.	Shults.
Golson.	Smith.
Harman.	Steward.
Harris.	Stinson.
Harrison.	Stovall.
Head.	Sullivant.
Hicks.	Tarwater.
Holland.	Thomas.
Huddleston.	Tillery.
Hughes.	Townsend.
Hunt.	Turlington.
Jackson.	Van Zandt.
James.	Vaughan.
Jones of Runnels.	Wells.
Kyle of Hays.	Winningham.
Laird.	Wood.
Lemens.	Young.
Lindsey.	

## Absent

Barrett.	Jefferson.
Butler.	Johnson
Cowley.	of Anderson.
Dunlap.	Jones of Atascosa.
Duvall.	Jones of Shelby.
Dwyer.	Kyle of Palo Pinto.
Engelhard.	Leonard.
Few.	Long.
Goodman.	Mathis.
Graves.	Metcalfe.
Greathouse.	Nicholson.
Griffith.	Palmer.
Haag.	Ramsey.
Hartzog.	Reader.
Hester.	Shannon.
Hill of Brazoria.	Stanfield.
Hill of Webb.	Weinert.
Holloway.	West.
Hoskins.	

## Absent—Excused

Johnson	Russell.
of Dimmit.	

Mr. Scott moved that the House recess to 8 o'clock a. m., tomorrow.



Question recurring on the motion by Mr. Scott, yeas and nays were demanded.

The motion was lost by the following vote:

## Yeas—41

Aikin.	Latham.
Alsup.	Lindsey.
Barron.	Lotief.
Beck.	Magee.
Bourne.	McDougald.
Calvert.	Merritt.
Camp.	Mitcham.
Canon.	Moffett.
Coombes.	Puryear.
Devall.	Roberts.
Dunagan.	Rogers of Hunt.
Fain.	Rollins.
Fisher.	Ross.
Glass.	Savage.
Good.	Scott.
Head.	Tarwater.
Huddleston.	Tennyson.
Hunt.	Townsend.
Hyder.	Walker.
Kayton.	Wells.
Kyle of Hays.	

## Nays—69

Adamson.	Lemens.
Alexander.	Mackay.
Anderson	McClain.
of Bexar.	McCullough.
Anderson	McGregor.
of Johnson.	McKee.
Baker.	Moore.
Bedford.	Morrison.
Bradley.	Morse.
Burns.	Munson.
Cathey.	Patterson.
Caven.	Pavlica.
Chastain.	Pope.
Clayton.	Ratliff.
Colson.	Ray.
Crossley.	Reed of Bowie.
Daniel.	Reed of Dallas.
Davidson.	Renfro.
Dean.	Rogers of Ochiltree.
Dwyer.	Scarborough.
Ford.	Shults.
Golson.	Smith.
Hankamer.	Steward.
Harman.	Stinson.
Harris.	Stovall.
Harrison.	Sullivant.
Hartzog.	Thomas.
Hicks.	Tillery.
Hodges.	Turlington.
Holekamp.	Van Zandt.
Holland.	Vaughan.
Hughes.	Wagstaff.
Jackson.	Winningham.
James.	Wood.
Jones of Runnels.	Young.
Laird.	

## Absent

Barrett.	Johnson
Butler.	of Anderson.
Cowley.	Jones of Atascosa.
Dunlap.	Jones of Shelby.
Duvall.	Kyle of Palo Pinto.
Engelhard.	Leonard.
Few.	Long.
Fuchs.	Mathis.
Goodman.	Metcalfe.
Graves.	Nicholson.
Greathouse.	Palmer.
Griffith.	Parkhouse.
Haag.	Ramsey.
Hester.	Reader.
Hill of Brazoria.	Riddle.
Hill of Webb.	Shannon.
Holloway.	Stanfield.
Hoskins.	Weinert.
Jefferson.	West.

## Absent—Excused

Johnson	Russell.
of Dimmit.	

Mr. Chastain moved that the House recess to 9 o'clock a. m., tomorrow.

The motion of Mr. Chastain prevailed, and the House, accordingly, at 5:40 o'clock p. m., took recess to 9 o'clock a. m., tomorrow.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

State Affairs: House Bills Nos. 122 and 123.

Claims and Accounts: House Bill No. 176.

Insurance: House Bill No. 728.

Counties: House Bills Nos. 582, 583, and 840.

Public Lands and Buildings: House Bill No. 266.

Revenue and Taxation: House Bills Nos. 232, 838, 138, 203, and 495.

The Committee on Revenue and Taxation filed adverse reports on House Bills Nos. 217 and 390.

The Committee on Highways and Motor Traffic filed an adverse report, with a minority favorable report, on House Bill No. 292.

The Committee on Common Carriers filed an adverse report, with a minority favorable report, on House Bill No. 369.

**REPORT OF THE COMMITTEE ON  
ENGROSSED BILLS**

Committee Room,  
Austin, Texas, March 29, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 791, A bill to be entitled  
"An Act amending Subsection 14, of  
Article 5421-c, of the Revised Civil  
Statutes of Texas, same being Acts,  
1931, Forty-second Legislature, Sec-  
ond Called Session, page 64, Chapter  
40, by providing that hereafter in all  
condemnation proceedings, the min-  
eral rights of the condemned party  
shall be superior to the surface rights  
of the condemning party, and in the  
event of any conflict, where it is  
necessary to drill any offset well, that  
the surface rights shall yield to the  
mineral rights, and the condemning  
party shall immediately remove any  
interference or hindrance therewith,  
and in the event of his failure to do  
so upon demand, the owner of the  
mineral rights shall have the right to  
do so, without liability; etc.; and de-  
claring an emergency,"

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

**REPORT OF THE COMMITTEE ON  
ENROLLED BILLS**

Committee Room,  
Austin, Texas, March 29, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 7, "An Act providing for  
the preparation of a budget by the  
county judge of each county, in which  
the population, according to the last  
preceding Federal Census, exceeds  
three hundred thousand (300,000) in-  
habitants and does not exceed three  
hundred and fifty-five thousand (355,-  
000) inhabitants, for the offices of the  
sheriff, county clerk, district clerk,  
tax assessor, tax collector, tax collec-  
tor-tax assessor, criminal district at-  
torney, constables, and justices of the  
peace, during the month of November,  
of each year, for the year beginning  
the following January 1; providing  
for the contents of such budget and  
the method of obtaining the infor-  
mation for same; providing for a pub-

lic hearing on same, and the time  
thereof, and notice thereon; provid-  
ing for action thereon by the com-  
missioners court, and changes therein;  
providing for the filing of the court's  
order and copy of budget with the  
county clerk and State Comptroller;  
providing for expenditures in conform-  
ity with the budget; providing for  
amendments to the original budget,  
and filing thereof, with reason there-  
for, and expenditures in conformity  
therewith; providing for commission-  
ers court fixing compensation of dep-  
uties, assistants, and employes, re-  
gardless of limitations and maximum  
now provided by any other law or  
laws, and for fixing the number of  
deputies, assistants, and employes, re-  
gardless of the number provided  
and/or required by any other law or  
laws; providing penalties; and repeal-  
ing all laws in conflict as applied to  
counties coming under the provisions  
of this law; and declaring an emer-  
gency,"

Has carefully compared same, and  
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, March 29, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 52, Authorizing the  
correction of the caption of House  
Bill No. 7,

Has carefully compared same, and  
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

**FORTY-FIFTH DAY**

(Continued)

(Thursday, March 30, 1933)

The House met at 9 o'clock a. m.,  
and was called to order by Speaker  
Stevenson.

**HOUSE BILL NO. 167 ON PASSAGE  
TO ENGROSSMENT**

The Speaker laid before the House,  
an unfinished business, on its passage  
to engrossment,

H. B. No. 167, A bill to be entitled  
"An Act making appropriations for  
the support and maintenance of the  
State Government for the two-year